



Patent
Attorney's Docket No. 1019519-000406

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)
Seiji HORIE et al.) Group Art Unit: 1714
Application No.: 10/668,152) Examiner: Callie E. SHOSHO
Filed: September 24, 2003) Confirmation No.: 2760
For: OIL BASED INK COMPOSITION)
FOR INKJET PRINTER AND)
METHOD FOR PRODUCTION)
THEREOF)

DECLARATION UNDER 37 C.F.R. §1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir;

I, Keitaro Aoshima, declare the following:

- (1) I am a Japanese citizen and have the following mailing address: 210, Nakanuma, Minami-Ashigara-shi, Kanagawa, 250-0193, Japan.
- (2) I graduated from Nagoya University, Graduate School of Engineering, Course of Applied Chemistry in March of 1985, being awarded a Master's Degree in Engineering.
- (3) I have been employed with Fuji Photo Film Co., Ltd. (hereinafter "Fuji") since April of 1985 until the present time. I have been engaged in the research and development of photosensitive lithographic printing plates and inkjet inks at the Yoshida-Minami Factory Research Division of Fuji.

(4) I have read and am familiar with the above-identified United States patent application filed September 24, 2003.

(5) Experiments were conducted by me or under my supervision, to compare the image durability of an image formed using an exemplary oil based ink composition according to an aspect of the claimed invention, with the image durability of images formed in accordance with examples disclosed by U.S. Patent No. 6,143,806 (hereinafter "*Kato et al*") and U.S. Patent Application Publication No. 2002/0128349 (hereinafter "*Qian et al*").

As discussed in the present specification, an oil based ink composition (Example 1) was prepared in the manner set forth at page 42 of the present specification. An image was formed using the exemplary oil based ink composition in the manner set forth at page 43 of the present specification, and after drying the image, the image was rubbed by finger. Lack of image was not observed at all, i.e., the image was not visibly affected by the rubbing. Therefore, the image formed with the exemplary ink exhibited excellent image durability.

A comparative experiment was conducted in the same manner as Example 1 of the present specification, except that the oil-based ink (IK-1) prepared in Example 1 of *Kato et al* was charged in a color facsimile (SAIYUKI UX-EICL manufactured by Sharp Corp.) as an inkjet recording device, and an image was drawn on an exclusive use paper of inkjet paper high-grade manufactured by Fuji Photo Film Co., Ltd. An image was formed using the ink of *Kato et al* and, after drying the image, the image was rubbed by finger. As a result, lack of image was observed, that is, the image was

noticeably affected by the rubbing. Therefore, it was found that this comparative example produced an image that was inferior in image durability to that of an image formed using the exemplary embodiment of the claimed invention discussed above.

A second comparative experiment was conducted in the same manner as Example 1 of the present specification, except that the toner prepared in Example 21 of *Qian et al* was charged in a color facsimile (SAIYUKI UX-EICL manufactured by Sharp Corp.) as an inkjet recording device, and an image was drawn on an exclusive use paper of inkjet paper high-grade manufactured by Fuji Photo Film Co., Ltd. An image was formed using the toner of *Qian et al* and, after drying the image, the image was rubbed by finger. As a result, lack of image was observed, that is, the image was noticeably affected by the rubbing. Therefore, it was found that this comparative example produced an image that was inferior in image durability to that of an image formed using the exemplary embodiment of the claimed invention discussed above.

(6) I further declare that all statements made herein of my own knowledge are true and that all statements on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 11/11/2006

By: Keitaro Aoshima
Keitaro Aoshima